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SEP 01 2004

September 1, 2004

Via Facsimile to (703) 872-9306

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Re: Applicants: David H. Davies; David Blankenbeckler; Michael Braitberg
 Assignee: DataPlay, Inc.
 Title: First-Side Dual-Layer Optical Storage Disk And Method Of Manufacturing The Same
 Application No.: 09/764,042 Filing Date: January 16, 2001
 Examiner: Martin J. Angebrannndt Group Art Unit: 1756
 Docket No.: M-9998 US Confirmation No.: 5686

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter (1 page);
- (2) Petition for Extension of Time (1 page);
- (3) Claim of Small Entity Status (1 page);
- (4) Response to Office Action (13 pages); and
- (5) Attachment to office action (5 pages).

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No additional fee is required.

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The fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining <u>After Amendment</u>		Highest No. <u>Previously Paid For</u>		Present <u>Extra</u>	<u>Rate</u>		Additional Fee
Total Claims	32	Minus	57	=	0	x \$ 9.00	\$	- 0 -
Independent Claims	2	Minus	2	=	0	x \$43.00	\$	- 0 -
<input type="checkbox"/>	Fee of \$145.00 for the first filing of one or more multiple dependent claims per application						\$	
<input checked="" type="checkbox"/>	EXTENSION OF TIME FEE (3 months for Small Entity)						\$	475.00
	<u>Total additional fee for this Amendment:</u>						\$	
<input checked="" type="checkbox"/>	Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.							
<input checked="" type="checkbox"/>	Please charge our Deposit Account No. 50-2257 in the amount of						\$	475.00
<input checked="" type="checkbox"/>	Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257							
	Total:						\$	475.00


Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile
transmitted to the U.S. Patent and Trademark Office on the
date shown below.

Jonathan Hallman

September 1, 2004
Date of Signature

Respectfully submitted,


 Jonathan W. Hallman
 Attorney for Applicants
 Reg. No. 42,622